

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: H. Michael SHEPARD, et al.

Title: ENZYME CATALYZED  
THERAPEUTIC  
COMPOUNDS

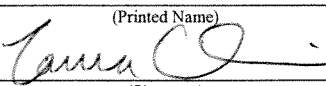
Appl. No.: 10/681,418

Filing Date: 10/7/2003

Examiner: Lawrence E. Crane

Art Unit: 1623

Confirmation Number: 7416

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| <b><u>CERTIFICATE OF ELECTRONIC TRANSMISSION</u></b><br>I hereby certify that this paper is being electronically transmitted to the<br>United States Patent and Trademark Office, Alexandria, Virginia via<br>EFS-Web on the date below. |
| Laura Davis<br>(Printed Name)  |
| <br>(Signature)  |
| August 9, 2007<br>(Date of Transmission)   |

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of a document known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action

which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

### **TIMING OF THE DISCLOSURE**

The listed document is being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

### **RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

### **FEE**

Fees in the amount of \$180.00 in accordance with 37 CFR §1.17(p) to cover the fee associated with an information disclosure statement under 37 CFR §1.97(c) are being paid by credit card via EFS-Web.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or

absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date Aug. 9, 2007

By Antoinette F. Konski

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

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| Substitute for form 1449/PTO<br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>Date Submitted: August 9, 2007<br><i>(use as many sheets as necessary)</i> |  |  |  | <b>Complete if Known</b> |                          |
|  |  |  |  | Application Number       | 10/681,418               |
|  |  |  |  | Filing Date              | 10/7/2003                |
|  |  |  |  | First Named Inventor     | H. Michael SHEPARD       |
|  |  |  |  | Art Unit                 | 1623                     |
|  |  |  |  | Examiner Name            | Lawrence E. Crane        |
| Sheet 1 of 1   |  |  |  | Attorney Docket Number   | NB 2008.01 (060925-0801) |

### U.S. PATENT DOCUMENTS

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of<br>Cited Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear |
|-----------------------|--------------------------|--|--------------------------------|--|--|
|                       |                          | Number-Kind Code <sup>2</sup> (if known) |                                |  |  |
|                       |                          |  |                                |  |  |
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|                       |                          |  |                                |  |  |

### UNPUBLISHED U.S. PATENT APPLICATION DOCUMENTS

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | U.S. Patent Application<br>Document             | Filing Date of<br>Cited Document<br>MM-DD-YYYY | Name of Patentee or Applicant of<br>Cited Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear |
|-----------------------|--------------------------|---|--|--|--|
|                       |                          | Serial Number-Kind Code <sup>2</sup> (if known) |  |  |  |
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### FOREIGN PATENT DOCUMENTS

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Foreign Patent Document  | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Documents | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
|-----------------------|--------------------------|--|--------------------------------|---|--|----------------|
|                       |                          | Country Code <sup>3</sup> Number <sup>4</sup> Kind<br>Code <sup>5</sup> (if known) |                                |   |  |                |
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|                       |                          |  |                                |   |  |                |
|                       |                          |  |                                |   |  |                |

### NON PATENT LITERATURE DOCUMENTS

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>6</sup> |
|-----------------------|--------------------------|--|----------------|
|                       |                          | LIBRA et al. (2004) <i>Thymidylate synthase mRNA levels are increased in liver metastases of colorectal cancer patients resistant to fluoropyrimidine-based chemotherapy</i> , BMC Cancer 4:11   |                |
|                       |                          |  |                |
|                       |                          |  |                |

 Examiner  
Signature

 Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.